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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.622(b)	)	
DTV Table of Allotments	)	MM Docket No. _____
Television Broadcast Stations	)	RM - _____
(Panama City, Florida)	)	

To: Chief, Video Services Division
Mass Media Bureau

PETITION FOR RULE MAKING

Waitt License Company of Florida, Inc. ("Waitt"), licensee of Station WPGX(TV), Panama City, Florida, by its attorney and pursuant to Section 1.401, *et seq.*, of the FCC's Rules, hereby petitions the Commission to amend its DTV Table of Allotments as contained in Section 73.622(b) by changing WPGX's DTV allotment to Channel 9 from the allotted Channel 29.

In support whereof, the following is shown.

The Commission allotted Channel 29 for transitional DTV use for WPGX, which presently operates on UHF Channel 28.

Per Rule 73.622(b), requests to amend the DTV Table to change the channel of an allotment in the DTV Table are to be evaluated for technical acceptability using engineering

criteria set forth in Section 73.623(c). Annexed hereto is the Engineering Statement of Bernard R. Segal, P.E., establishing full compliance with the applicable rule.

The proposed Channel 9 DTV allotment specifies operation from the same site as the current WPGX operation. Such collocation of analog and digital facilities "will serve the public interest by reducing the need for modifying existing broadcast towers or constructing new towers to house digital television facilities, and by ameliorating adjacent channel interference concerns." ***J.S. Kelly, L.L.C.***, 13 FCC Rcd 23632, 23636 ¶ 11 (MM Bur. 1998).

The Engineering Statement demonstrates that the entire community of Panama City will be encompassed by the station's proposed 36 dBu, F(50,90) contour, and that, therefore, this Petition complies, as per Section 73.623(c)(1), with the principal community coverage requirement of Section 73.625(a).

The Engineering Statement further establishes, in conformance with Section 73.623(c)(2) of the Rules, that no NTSC station or DTV allotment would receive interference from the proposed Channel 9 WPGX-DT facility in excess of the *de minimis* 2% allowable level; and that the cumulative interference, where the proposed WPGX-DT facility would cause interference to any NTSC station or DTV allotment, will not exceed the maximum allowable level of 10%.

Based upon the two studies performed, the Engineering Statement concludes that the proposed allotment satisfies all FCC criteria.

WHEREFORE, for the foregoing reasons, Waitt requests that the Commission grant this Petition and amend the DTV Table of Allotments to substitute Channel 9 for Channel 29 at Panama City, Florida, as WPGX's digital television frequency.

Respectfully submitted,

WAITT LICENSE COMPANY OF FLORIDA, INC.

By: _____
Lawrence Bernstein

Its Attorney

LAW OFFICES OF LAWRENCE BERNSTEIN
1818 N Street, NW
Suite 700
Washington, D.C. 20036
(202) 296-1800

Attachment

June 24, 1999

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

ENGINEERING STATEMENT
PREPARED ON BEHALF OF
WAITT LICENSE COMPANY OF FLORIDA, INC.
PANAMA CITY, FLORIDA

The instant Engineering Statement has been prepared on behalf of Waitt License Company of Florida, Inc., the licensee of NTSC station WPGX, Panama City, Florida. Engineering support is provided for a petition to amend the DTV Table of Allotments, Section 73.622(b) of the Rules. The FCC allotted Ch. 29 for transitional DTV use for NTSC station WPGX. Station WPGX operates on UHF Ch. 28. The instant Engineering Statement provides support for amendment of the DTV Table of Allotments to specify Ch. 9 in lieu of Ch. 29.

The proposed Ch. 9 DTV allotment is for operation from the same site as the current WPGX operation. The geographic coordinates for the WPGX tower location are: 30° 23' 42" North Latitude; 85° 32' 02" West Longitude. The foregoing geographic coordinates are based on NAD 1927. A directional antenna will be employed with maximum effective radiated power of 100 kW, average. The antenna radiation center height above average terrain will be 207 meters.

The particulars for the directional antenna which will be used are provided in Figures 1 and 2. Figure 1 is the azimuth pattern for the antenna and Figure 2 is a tabulation of relative field and effective radiated power data for the antenna.

In compliance with the requirements of Section 73.623(c), studies are provided which demonstrate that the proposed change in the allotment table will permit a facility that satisfies the coverage and allocation criteria of the recited rule.

Figure 3 is a map demonstrating the extent of coverage of the 36 dBμ, F(50,90) contour for the proposed allotment. Figure 4 is a tabulation of terrain elevation data and distances to the 36 dBμ, F(50,90) contour used for the preparation of Figure 3. Figure 3 demonstrates that the entire community of Panama City will be encompassed and that the proposed allotment, therefore, complies with the principal community coverage requirement of Section 73.625(a).

As to allocation concerns, the study provided herein as Figure 5 demonstrates that no NTSC station or DTV allotment would receive interference from the proposed WPGX-DT, Ch. 9, facility affecting population in excess of the de minimis 2% allowable level. The cumulative interference, where the proposed WPGX-DT facility would cause interference to any NTSC station or DTV allotment, will not exceed the maximum allowable of 10%.

The study of Figure 5 was performed using an FCC matched computer analysis taking into account all allocation factors. A computer using an Alpha processor was employed in conjunction with the FCC's FLR software. For each station studied, the reference information from Appendix B of the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order in MM Docket Number 87-268 is listed in Figure 5 for comparison with the results obtained independently using the Alpha processor with the FCC's FLR software. The independently determined calculation results are in excellent agreement with the FCC's Appendix B results.

Two studies were performed. The first study took into account the current Appendix B allotment facilities for WPGX-DT that provided a reference for comparison with the results of the second study which included the effect of the proposed new Ch. 9 DTV allotment for WPGX-DT. As demonstrated in Figure 5, the proposed allotment satisfies all FCC criteria.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 1999.

Bernard R. Segal, P.E.

Bernard R. Segal, P.E.

Dielectric

Proposal Number		Revision	
Date	15 Jun 1999		
Call Letters	WPGX-DT	Channel	9
Location	Panama City, FL		
Customer			
Antenna Type	THP-P2-4-1		

AZIMUTH PATTERN

RMS Gain at Main Lobe	2.20 (3.42 dB)	Frequency	189 MHz
Calculated / Measured	Calculated	Drawing #	TF-P2

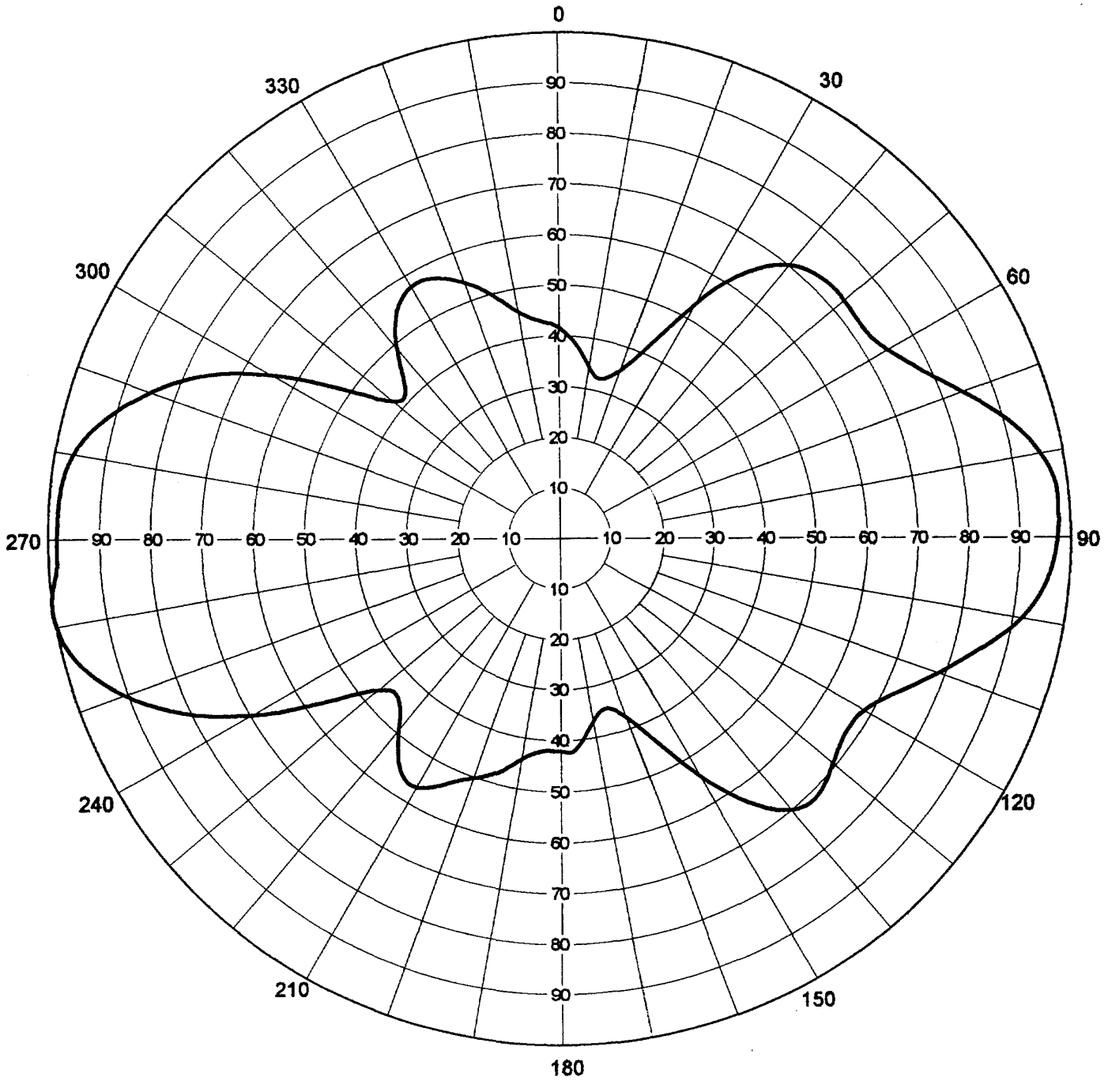


Figure 2

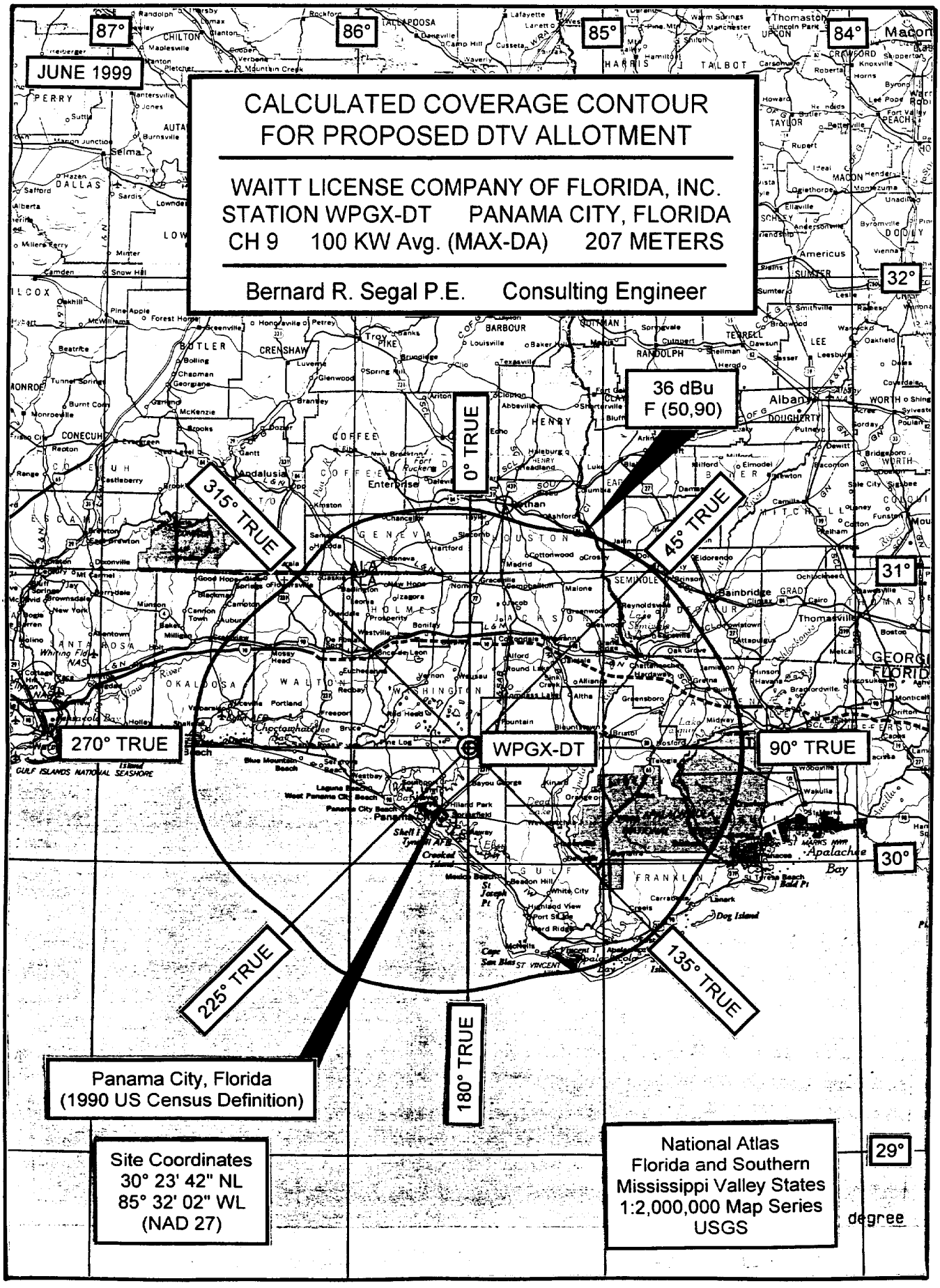
ENGINEERING STATEMENT
PREPARED ON BEHALF OF
WAITT LICENSE COMPANY OF FLORIDA, INC.
PANAMA CITY, FLORIDA

Tabulation of Data for Radiation Pattern

Azimuth (deg. T)	Relative Field	Effective Radiated Power (kW)	Azimuth (deg. T)	Relative Field	Effective Radiated Power (kW)
0	0.417	17.4	190	0.442	19.5
10	0.344	11.8	200	0.503	25.3
14*	0.325	10.6	210	0.565	31.9
20	0.352	12.4	211**	0.567	32.1
30	0.533	28.4	220	0.491	24.1
40	0.702	49.3	227*	0.445	19.8
50	0.729	53.1	230	0.466	21.7
60	0.743	55.2	240	0.699	48.9
70	0.841	70.7	250	0.906	82.1
80	0.958	91.8	260	0.998	99.6
88**	0.979	95.8	262**	1.00	100
90	0.976	95.3	270	0.982	96.4
100	0.918	84.3	280	0.963	92.7
110	0.787	61.9	290	0.848	71.9
120	0.685	46.9	300	0.647	41.9
130	0.695	48.3	310	0.422	17.8
140	0.701	49.1	312*	0.411	16.9
150	0.543	29.5	320	0.489	23.9
160	0.376	14.1	330	0.574	32.9
165*	0.350	12.3	332**	0.575	33.1
170	0.368	13.5	340	0.537	28.8
180	0.422	17.8	350	0.455	20.7

* Local Minimum Bearing.
** Local Maximum Bearing.

Figure 3


JUNE 1999
CALCULATED COVERAGE CONTOUR
FOR PROPOSED DTV ALLOTMENT
WAITT LICENSE COMPANY OF FLORIDA, INC.
STATION WPGX-DT PANAMA CITY, FLORIDA
CH 9 100 KW Avg. (MAX-DA) 207 METERS
Bernard R. Segal P.E. Consulting Engineer
36 dBu
F (50,90)
0° TRUE
45° TRUE
90° TRUE
135° TRUE
180° TRUE
225° TRUE
270° TRUE
315° TRUE
WPGX-DT
Panama City, Florida
(1990 US Census Definition)
Site Coordinates
30° 23' 42" NL
85° 32' 02" WL
(NAD 27)
National Atlas
Florida and Southern
Mississippi Valley States
1:2,000,000 Map Series
USGS
87°
86°
85°
84°
32°
31°
30°
29°
degree
MILES
KILOMETRES

ENGINEERING STATEMENT
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PANAMA CITY, FLORIDA

Tabulation of Average Elevations and
Distances to the DTV Coverage Contour

Azimuth (deg. T.)	3.2-16.1 km Terrain Average (mAMSL)	Radiation Center Above Terrain Average (m)	ERP (Avg.) Employed (kW)	Distance to 36 dBμ, F(50,90) Contour (km)
0	28	204	17.4	91.0
15	33	199	10.6	87.0
30	44	188	28.4	93.1
45	45	187	51.4	97.1
60	41	191	55.2	98.1
75	36	196	81.2	101.8
90	31	201	95.3	103.7
105	28	204	72.9	101.7
120	24	208	46.9	98.6
135	20	212	48.9	99.3
150	18	214	29.5	95.7
165	17	215	12.3	90.0
180	14	218	17.8	92.4
195	7	225	22.4	94.6
210	4	228	31.9	97.5
225	11	221	20.3	94.0
240	16	216	48.9	99.7
255	20	212	91.0	104.5
270	25	207	96.4	104.4
285	20	212	82.3	103.6
300	27	205	41.9	97.4
315	27	205	20.8	92.3
330	24	208	32.9	96.0
345	30	202	24.7	93.3
Average for eight standard radials	25	207		

Note: The NGDC 30" terrain elevation database was used to determine the 3.2-16.1 km terrain averages.

ENGINEERING STATEMENT
PREPARED ON BEHALF OF
WAITT LICENSE COMPANY OF FLORIDA, INC.
PANAMA CITY, FLORIDA

NTSC and DTV Allocation Studies for Proposed WPGX-DT Allotment
Ch. 9, 100 kW Avg. (MAX-DA), 207 m
NAD 1927 Site Coordinates: 30° 23' 42" North Latitude; 85° 32' 02" West Longitude
Antenna Radiation Center: 232 mAMSL

A: NTSC Study

		Appendix B Data		Independent Calculations						
Ch. Relation-ship[1]	Potentially Affected Desired NTSC Station	Current Svc. Pop. (Thous.)	Allotted DTV Interf. Pop. (%)	Current Svc. Pop. (Thous.)	Noise Lmtd. Pop. (Thous.)	Allotted DTV Interf.Pop. (Thous.)	(%)	New Interference from proposed WPGX-DT (Thous.)	(%)	Cum-ulative DTV Interf. (%)
n-0	WFTV, Orlando, FL Ch. 9, 316 kW, 479 m	2,183	0.0	2,181	2,500	0	0.0	0	0.0	0.0
	WTVM, Columbus, GA Ch. 9, 316 kW, 503 m	724	0.1	726	945	1	0.1	17	1.8	1.9
	WVAN-TV, Savannah, GA Ch. 9, 316 kW, 320 m	597	0.0	596	639	0	0.0	0	0.0	0.0
n-1	WALA-TV, Mobile, AL Ch. 10, 316 kW, 381 m	998	0.0	999	1,008	0	0.0	0	0.0	0.0
	WALB-TV, Albany, GA Ch. 10, 316 kW, 293 m	542	0.4	545	589	2	0.3	0	0.0	0.3
n+1	WAKA, Selma, AL Ch. 8, 316 kW, 515 m	632	0.0	629	652	0	0.0	0	0.0	0.0
	WXGA-TV, Waycross, GA Ch. 8, 316 kW, 314 m	342	0.0	337	384	0	0.0	0	0.0	0.0

[1] n = desired station's channel.

Figure 5
Sheet 1 of 2

B: DTV Study

Ch. Relation-ship	Potentially Affected Desired DTV Station	Appendix B Data: Baseline Pop. (Thous.)	Appendix B Data: DTV Service (Thous.)	Independent Calculations: Baseline Pop. (Thous.)	Independent Calculations: DTV Service (Thous.)	Independent Calculations: Additional Interf. from Prop. WPGX-DT (Thous.)	Independent Calculations: Additional Interf. from Prop. WPGX-DT (%)	Independent Calculations: Cum-ulative DTV Interf. (%)
n-0	Allotment, Mobile, AL Ch. 9, 16.5 kW, 381 m	1,008	1,008	1,007	1,007	8	0.8	0.8
n+1	None sufficiently close for concern	—	—	—	—	—	—	—
n-1	None sufficiently close for concern	—	—	—	—	—	—	—